



# 2004 B. E. WITKIN JUDICIAL COLLEGE OF CALIFORNIA

JUNE 13-25, 2004

HOLIDAY INN GOLDEN GATEWAY  
SAN FRANCISCO

APPLICATION  
DEADLINE  
APRIL 28, 2004



ADMINISTRATIVE OFFICE  
OF THE COURTS

---

EDUCATION DIVISION/CENTER FOR  
JUDICIAL EDUCATION AND RESEARCH



## Supreme Court of California

March 2004

Dear Colleague:

It is with great pleasure that I invite you to attend the 2004 session of the B. E. Witkin Judicial College of California beginning on June 13. This program of the Center for Judicial Education and Research (CJER) consistently has provided judges throughout the state with essential insight into their role on the bench, and I am confident this year's program will do the same. Participants will also have the rare opportunity to exchange ideas with many of their colleagues, a substantial benefit for any judge in today's busy and complicated legal world.

For 38 years, the Judicial College has provided a valuable learning forum for California's judiciary. Experienced bench officers serve as faculty, enabling new judges, commissioners, and referees to learn from the experience and insights of their colleagues. The 2004 session promises to continue the college's fine tradition of preparing you for the myriad responsibilities inherent in your role and will help ensure a smooth transition to a new position on the bench.

I know you will consider the college both interesting and challenging, and I hope you will find time in your busy schedule to attend. I am confident that this important program will serve as a benchmark for excellence in your judicial career.

Sincerely,

Ronald M. George  
Chief Justice of California



## 2004 B. E. WITKIN JUDICIAL COLLEGE OF CALIFORNIA

This year marks the 38th year in which the B. E. Witkin Judicial College of California presents its comprehensive educational experience to newer members of the California judiciary.

New members of the judiciary, who are the primary beneficiaries of this educational program, have found that the Judicial College provides extensive training in many judicial skills and broadens their understanding of the judicial process and the role of judicial officers.

Experienced judges also find the Judicial College to be an excellent opportunity to improve judicial skills and techniques, learn about new court assignments, review changes in the law, and refresh their perspectives through an exchange of information with judges from all parts of this state.

Judges, commissioners, and referees attending this intensive two-week educational program commit themselves to active participation in acquiring the

knowledge, skills, and attitudes needed to perform their judicial work fairly, correctly, and efficiently. A full schedule of classes, electives, and small-group seminars in all phases of judicial work is offered. Participants also analyze judicial philosophies, styles, and work methods, and their roles as public servants; improve their skills in the arts of judging, decision making, explaining the judicial function to the public, and handling counsel, litigants, and witnesses; and explore better ways to handle court business, increase court efficiency, and ensure fairness to litigants.

The B. E. Witkin Judicial College of California is a judicial education program offered by the California Center for Judicial Education and Research, the Education Division of the Administrative Office of the Courts. Under the leadership of the New Judge Education Committee, instruction is provided primarily by more than 80 highly qualified judges, commissioners, and referees selected for their

recognized abilities as judges, teachers, and legal writers, and for their interest in improving the administration of justice. Experts and representatives from component agencies within the California justice system also participate to increase the judiciary's awareness of interagency problems and to coordinate responses to these problems. The faculty services of judges, commissioners, referees, and attorneys from throughout California are furnished without compensation, other than reimbursement for travel and lodging expenses according to state rules.

Instructional methods emphasize problem-solving exercises, panel discussions, small-group seminars, case studies, role playing, and other innovative learning methods. Frequent small-group seminars allow students to clarify and evaluate their learning. Specially prepared program materials are provided for study at the College and for later reference as practice aids.

# THE DEAN & VICE CHAIR



## MICHAEL T. GARCIA

### JUDICIAL COLLEGE DEAN

Judge, Superior Court of Sacramento County, 1989–present  
 Presiding Judge, Superior Court of Sacramento County, 2002–2003  
 Presiding Judge, Appellate Department, Superior Court of Sacramento County, 1993  
 Judge, Municipal Court of Sacramento County, 1987–89  
 California Department of Justice, Office of the Attorney General, 1981–87; Executive Division, Legislative Liaison, 1981–83; Criminal Division, 1983–87  
 Deputy District Attorney, Ventura County, 1974–81  
 University of California, Davis, J.D., 1974  
 California State University, Fullerton, B.A., 1971  
 Chair, Continuing Judicial Studies Program Planning Committee, 1998–99  
 Visiting Lecturer, University of California, Davis, School of Law, 1983–87  
 Instructor, Ventura College of the Law, Criminal Law and Procedure, 1979–80  
 Faculty and seminar leader, CJER New Trial Court Judges Orientation  
 Faculty and seminar leader, B. E. Witkin Judicial College of California, 1997–2000

Member, California Judges Association, 1987–present  
 Member, Medical Quality Review Committee, 10th District, 1977–80  
 Member, Judicial Discipline Advisory Panel  
 Faculty, CJER programs, Discipline, Ethics, Voir Dire, Fairness, Scientific Evidence, Genetics  
 Faculty, CJA and Einstein Institute for Science, Health and the Courts  
 Vice-Chair, CJER New Judge Education Committee, 2000–2002  
 Chair, CJER New Judge Education Committee, 2002–present



## LYNN DURYEE

### VICE CHAIR, NEW JUDGE EDUCATION

Judge, Superior Court of California, County of Marin, 1998–present  
 Judge, Marin County Municipal Court, 1993–98  
 Private Practice, Duryee & Townsend, San Rafael, 1979–93  
 Adjunct Assistant Professor (Evidence), Hastings College of Law, 1983–92  
 University of San Francisco School of Law, J.D., 1979  
 University of California, Berkeley, B.A., 1976  
 CJER Governing Committee, 1999–2002

Faculty, CJSP: Jury Selection, Evidence in Civil and Criminal Cases, Basic Civil, Select Civil Topics, and Jury Management Issues, 1997–present  
 Faculty, B. E. Witkin Judicial College, Preliminary Hearings, Introductory Criminal Procedure, Introductory Civil Procedure, and Trials, 1995–98, 2000–present.  
 Seminar Leader, B. E. Witkin Judicial College, 1998  
 Faculty, New Judge Orientation, Ethics and Fairness, 1996–present  
 Faculty, Qualifying Ethics Course for Judicial Officers, 2003–present  
 Faculty, Civil Law and Procedure Institute, Civil Overview, 1997  
 Faculty, Criminal Law Institute, Courtroom Control, 1998–99  
 Faculty and Planning Committee, Municipal Courts Institute, Civil Settlement Conferences, and Selected Law & Motion Issues, 1994–97  
 Editor, *The California Bench*  
 Faculty, California Judges Association's Midyear Conference, Off the Book Trial Problems, Writing for Fun and Profit, Creativity in Real Life, and Secret Weapons of Conflict Resolution, 2000–present  
 Director, California Judges Association's Midyear Conference, 2001  
 Speaker, National Association of Women Judges, "Women and the Media," 2000  
 Author, "With All Due Respect ... Reflections on the Judging Life" (California Judges Association, 2002)  
 Recipient, Bernard Jefferson Award for Excellence in Judicial Education, 2002

# PLANNING COMMITTEE & SEMINAR LEADERS

## NEW JUDGE EDUCATION COMMITTEE 2003–2004

Hon. Michael T. Garcia Chair and Judicial College Dean Superior Court of Sacramento County	Hon. Ronni B. MacLaren Superior Court of Los Angeles County
Hon. Lynn Duryee Vice-Chair Superior Court of Marin County	Hon. Dan T. Oki Superior County of Los Angeles County
Hon. Tricia Ann Bigelow Superior Court of Los Angeles County	Hon. Lowell E. Richards Superior Court of Contra Costa County
Hon. John L. Cosgrove Superior Court of Placer County	Hon. Rebecca S. Riley Superior Court of Ventura County
Hon. Joyce M. Cram Superior Court of Contra Costa County	Hon. Theodore M. Weathers Superior Court of San Diego County
Hon. Sheila B. Fell Superior Court of Orange County	Hon. Patricia H. Wong Superior Court of Sacramento County
Hon. Charles R. Gill Superior Court of San Diego County	<i>CJER Liaison Member</i>
Hon. Philip S. Gutierrez Superior Court of Los Angeles County	Hon. George J. Abdallah, Jr. Superior Court of San Joaquin County
Hon. Catherine A. S. Lyons Superior Court of San Francisco County	

## FORMER JUDICIAL COLLEGE DEANS

Donald R. Fretz, 1967–68	David M. Rothman, 1986–87
Claude M. Owens, 1969–70	J. Augustus Accurso, 1988–89
William H. Levit, 1971	Susan P. Finlay, 1990–91
Henry M. Busch, 1972–73	John W. Kennedy, Jr., 1992–94
Bernard S. Jefferson, 1974–75	Mary C. Morgan, 1993
Homer B. Thompson, 1976–77	Mark B. Simons, 1995–96
John R. Stanton, 1978–79	Peggy Fulton Hora, 1997–98
William B. Keene, 1980–81	Stephen E. O’Neil, 1999–2000
Norman L. Epstein, 1982–83	Brenda Harbin-Forte, 2001–2002
Marie Bertillion Collins, 1984–85	Michael T. Garcia, 2003

## 2004 SEMINAR LEADERS

Hon. David W. Abbott Superior Court of Sacramento County
Hon. George J. Abdallah, Jr. Superior Court of San Joaquin County
Hon. Tricia Ann Bigelow Superior Court of Los Angeles County
Hon. Charles Q. Clay III Superior Court of Los Angeles County
Hon. Lawrence W. Fry Superior Court of Riverside County
Hon. Philip S. Gutierrez Superior Court of Los Angeles County
Hon. Maral Injejikian Superior Court of Los Angeles County
Hon. James M. Mize Superior Court of Sacramento County
Hon. Lowell E. Richards Superior Court of Contra Costa County
Hon. Tammy Chung Ryu Superior Court of Los Angeles County
Hon. Theodore M. Weathers Superior Court of San Diego County
Hon. Denise Lee Whitehead Superior Court of Fresno County

# SCHEDULE AT A GLANCE FIRST WEEK

(Schedule subject to change)

	SUNDAY JUNE 13	MONDAY JUNE 14	TUESDAY JUNE 15	WEDNESDAY JUNE 16	THURSDAY JUNE 17	FRIDAY JUNE 18		
8:00 am		Seminar (8:00–9:00 am)	Track A Evidence or Track B Trials (8:00–11:00 am)	Track A Court as Employer (8:00–9:00 am) ADA (9:00–11:00 am) or Track B Courts & Community (8:00–9:00 am) Judicial Ethics (9:15–11:00 am)	Track A Courts & Community (8:00–9:00 am) Judicial Ethics (9:15–11:00 am) or Track B Court as Employer (8:00–9:00 am) ADA (9:00–11:00 am)	Track A Spoken Language Interpreters (8:30–9:45 am) Domestic Violence (10:00–11:30 am) or Track B Basic Family, Criminal, or Civil Procedure (8:30–11:30 am)		
9:00 am		Track A Trials or Track B Evidence (9:00 am– 12:00 pm)						
10:00 am				Seminars (11:00 am–12:00 pm)				
11:00 am					Lunch (11:30 am–12:30 pm)			
12:00 pm		Lunch With Chief Justice Ronald M. George			Lunch (12:00–1:30 pm)			
1:30 pm	Registration (1:00–5:00 p.m.)	Track A Trials or Track B Evidence (1:30–5:00 pm)	Track A Evidence or Track B Trials (1:30–5:00 pm)	Track A Fees, Fines & Waivers 1:30–2:30 pm Jurisprudence (2:45–5:00 pm) or Track B Alcohol & Other Drugs & the Courts (1:30–5:00 pm)	Track A Alcohol & Other Drugs & the Courts (1:30–5:00 pm) or Track B Fees, Fines & Waivers 1:30–2:30 pm Jurisprudence (2:45–5:00 pm)	Track A Basic Family, Criminal, or Civil Procedure (12:30–3:30 am) or Track B Spoken Language Interpreters (12:30–1:45 pm) Domestic Violence (2:00–3:30 pm)		
2:30 pm								
3:30 pm							Adjourn (3:30 pm)	
5:00 pm		Seminar Groups Meet (7:00–8:00 pm) Followed by Dean's Open House	Seminar Group Dinners (individually arranged)					
6:00 pm				Teambuilding Activity (6:00–7:30 pm)	NAWJ Reception (6:00–7:30 pm)	San Quentin Prison Tour (5:30–11:00 pm)		
7:00 pm								
8:00 pm								

# SCHEDULE AT A GLANCE SECOND WEEK

(Schedule subject to change)

	MONDAY JUNE 21	TUESDAY JUNE 22	WEDNESDAY JUNE 23	THURSDAY JUNE 24	FRIDAY JUNE 25
8:00 am	Civil Settlement Techniques (8:00–11:00 am) or Basic Juvenile Dependency (8:00–11:00 am) or Unlawful Detainer (8:00–10:00 am) Small Claims (10:00–11:00 am)	Electives (8:00–11:30 am)			Electives (8:00 am– 12:45 pm)
9:00 am					
10:00 am					
11:00 am	Seminar (11:00 am– 12:00 pm)	Seminar (11:30 am–12:30 pm)			
12:00 am	Lunch (12:00–1:30 pm)				
		Lunch (12:30–1:30 pm)			Closing Luncheon (1:00–2:00 pm)
1:30 pm	Civil Settlement Conference (1:30–4:30 pm) or Basic Juvenile Delinquency (1:30–4:30 pm) or Consumer Law (1:30–2:30 pm) Traffic (2:30–4:30 pm)	Electives (1:30–5:00 pm)			Adjourn 2:00 pm
2:30 pm					
3:30 pm					
5:00 pm					
	Delancey Street Tour (5:15–10:00 pm)				
6:00 pm		Group Dinner (6:00–7:00 pm)  Traynor Forum (7:15–9:00 pm)		Dean's Dinner (6:00–10:00 pm)	
7:00 pm					
7:00 pm					



# COURSE DESCRIPTIONS & FACULTY

## MANDATORY COURSES

### **ALCOHOL AND OTHER DRUGS (AOD) AND THE COURTS**

The vast majority of criminal cases and a large number of family court and juvenile dependency cases arise from alcoholism or other drug abuse. This course provides practical medical and social science information that will enable a judge, commissioner, or referee to deal more effectively with an AOD caseload. You will be better able to identify addiction and evaluate treatment as a result of this course. You will be able to interact with a criminal AOD defendant appropriately and make more informed choices about juvenile placement, reunification, and delinquency. You will also learn the medical/disease model of addiction that is reflected in current national policy and the judicial philosophy that is the basis of drug treatment courts. This course will address issues concerning special populations, such as pregnant women and those with co-occurring mental health disorders.

*Hon. Peggy Fulton Hora, Superior Court of Alameda County*  
*S. Alex Stalcup, M.D., New Leaf Treatment Center*

### **THE AMERICANS WITH DISABILITIES ACT (ADA): YOUR LEGAL RESPONSIBILITIES**

There is another important dimension to the Americans with Disabilities Act (ADA) beyond the basic understanding of how providing access for persons with disabilities has a physical impact on your courtroom and courthouse. This is the dimension of judicial conduct in the areas of temperament, ethics, and fairness as they relate to citizens with disabilities. On completion of this course, you not only will be able to render decisions based on Rule 989.3 accommodation re-

quests and recognize and accommodate persons with disabilities in your court, but you will have reduced your susceptibility to problems in certain troublesome areas of judicial conduct.

*Hon. Frederick Paul Horn, Superior Court of Orange County*

### **COURT AS EMPLOYER**

The Trial Court Employment Protection and Governance Act became effective on January 1, 2001, making the trial courts the employers of some 20,000 trial court workers who were formerly county employees. This course provides an overview of each court's role as an employer. It also addresses the patchwork of state and federal laws that apply to employers, including courts, and the rights and responsibilities arising from such employment regulation. Using hypotheticals, this course also provides strategies for avoiding litigation while dealing effectively with personnel issues.

*Faculty to be announced.*

### **COURTS AND COMMUNITY**

This course identifies unique aspects of the judges' roles in the communities they serve, highlighting potential ethical pitfalls for the involved jurist. The presentation includes review of selected statutes, code of conduct sections, ethics advisories, and appellate decisions that provide guidance in difficult situations common to the judge who is well-known in his or her community. Discussion includes identification of activities and community involvement that are not prohibited. Topics include: (1) self-disqualification and disclosure (when and how) as applied to the judge who personally knows many of the people in the served community and has long-established professional ties to many of the attorneys regularly appearing in the court; (2) how to assess expecta-



tions of the community; (3) constraints on the personal life of the well-known judge; and (4) how to dispell misconceptions about the exercise of judicial authority. The course should be valuable for judges with substantial nonjudicial involvement in the communities they serve.

*Hon. Stephen Douglas Bradbury, Superior Court of Lassen County*

### **DOMESTIC VIOLENCE AWARENESS**

This course is for all judges—from judges who have no experience in domestic violence cases to those with a domestic violence court assignment. The instructors will present overviews of both the law and procedural issues in criminal and civil domestic violence cases. The course materials will include hypotheticals based on the CJER-produced video, *Making a Difference: Domestic Violence and the Role of the Court*.

Practical and detailed ideas, suggestions, and best practices will be shared to help new judges deal with the thorny, complicated, and stressful issues that frequently face the judge. Topics to be discussed include: (1) what to look for in issuing EPOs and TROs; (2) how to set bail and sentence in DV cases; (3) what to do when the “victim” wants to “drop the charges”; and (4) what to do when the criminal protective order conflicts with the family law restraining order.

*Hon. Harold E. Kahn, Superior Court of San Francisco County*

*Hon. Cerena Wong, Superior Court of Sonoma County*

### **EVIDENCE**

This course teaches certain critical techniques in ruling on evidentiary objections made during civil and criminal trials. It also covers substantive areas of the law of evidence, including hearsay and hearsay exceptions, Evidence Code section 352, character evidence, and the impeachment of a witness with prior misconduct. Table exercises will focus on techniques for handling evidentiary issues.

*Hon. Carol A. Corrigan, Associate Justice, Court of Appeal*

*Hon. Mark B. Simons, Associate Justice, Court of Appeal*

### **JUDICIAL ETHICS FORUM**

This workshop offers an open forum for discussion of ethical questions affecting a judicial officer’s life on and off the bench. Following an update on new developments in ethics and judicial discipline, the participants will submit issues and ethics problems for discussion. Such issues will probably include disclosure and disqualification, gifts to judicial officers, membership in organizations, fund-raising, ex parte contacts, political activity, and the Commission on Judicial Performance.

*Hon. Ronni B. MacLaren, Superior Court of Los Angeles*

*County, temporarily cross-assigned to Alameda County*

*Hon. David M. Rothman (Ret.), Superior Court of Los Angeles County*

### **MEASURE FOR MEASURE: A TRIAL JUDGE’S GUIDE TO JURISPRUDENCE**

Take a refreshing break from the mechanics of nuts and bolts, and consider the design and purpose of our system of justice. Using literature as a tool, explore the philosophical and ethical nature of your judicial decisions. Learn what philosophers say about how judges decide cases, and gain insight into the rationale for your decisions. Enrollment in the course carries with it a commitment to read *Measure for Measure* and *Billy Budd*, and “Arts and Crafts” and “Name Dropping” (two short stories). These materials will be sent to you before the course.

*Robert S. Gernstein, Esq., Santa Monica*

*Hon. Arthur Gilbert, Associate Justice, Court of Appeal*

### **RESTITUTION: FEES, FINES, AND FEE WAIVERS**

This course is designed to review the legal and factual basis for the imposition of a fee, fine, penalty, or assessment by a judge. Emphasis will be given to the appropriate amount to be imposed, fee waivers, and whether the fee is discretionary or mandatory. Participants will be provided with “best practices” forms, benchguides, and fee charts.

*Hon. Douglas P. Miller, Superior Court of Riverside County*

## **SPOKEN LANGUAGE INTERPRETERS**

Participants will analyze the results of the Judicial Council's courtroom language use study and the results of the 2000 census; learn to apply the statutes, rules of court, and constitutional provisions that govern the use of spoken language interpreters; participate in a shadowing exercise to learn the skills necessary to be a competent interpreter; develop strategies to determine when an interpreter is required, what type of interpreter is needed, what to do when a certified interpreter is not available, how to deal with a challenge to an interpretation, and how to deal with bilingual jurors; and learn 10 ways to use spoken language interpreters more effectively.

*Hon. Lance A. Ito, Superior Court of Los Angeles County*

## **TRIALS**

This course explores the role and responsibilities of the judge in conducting a trial that is fair and efficient. You will learn effective techniques for anticipating and resolving problems, managing trials, and reducing delay.

*Hon. Lynn Duryee, Superior Court of Marin County*

*Hon. Eddie C. Sturgeon, Superior Court of San Diego County*

# **ELECTIVES**

## **BASIC CIVIL PROCEDURE**

This course provides participants without a civil background with a basic understanding of the procedure and terminology of civil cases by following a basic negligence action from filing to disposition. We will discuss ex partes and injunctions, defaults, case management, law and motion, settlement conferences, in limine motions, verdicts, and posttrial motions.

*Hon. Ronald Lawrence Bauer, Superior Court of Orange County*

*Hon. Lynn Duryee, Superior Court of Marin County*

## **BASIC CRIMINAL LAW**

This workshop is designed for new judges, commissioners, and referees who have practiced primarily in the area of civil law before taking the bench. The goal is to acquaint you with the terms, numbers, and concepts so that you will be able to identify important differences between criminal and civil law, acquire methods of dealing with common, recurrent problems, and apply basic criminal law provisions to deal competently with cases that come before you.

*Hon. Richard M. King, Superior Court of Orange County*

*Hon. Rebecca S. Riley, Superior Court of Ventura County*

## **BASIC FAMILY LAW**

This course teaches participants how to handle an OSC calendar effectively, including temporary custody and visitation orders, temporary child and spousal support orders, and temporary use and possession of property. Emphasis will be given to expeditious calendar management, including cases involving pro per litigants and ex parte requests. The course will include an overview of the educational materials and resources available to a family law judge, commissioner, or referee.

*Hon. James M. Mize, Superior Court of Sacramento County*

## **BASIC JUVENILE LAW—DELINQUENCY**

This course helps you to identify procedural and philosophical differences between adult criminal court and delinquency court. You will be able to identify issues unique to delinquency court cases, conduct detention and jurisdictional hearings, and develop appropriate dispositional orders. The special role and unique responsibilities of the juvenile court judicial officer in the superior court and the community will also be discussed.

*Hon. Colleen M. Nichols, Superior Court of Placer County*

*Hon. James S. Odriozola, Superior Court of Orange County*

### **BASIC JUVENILE LAW—DEPENDENCY**

This interactive course is intended for new bench officers who do not have a juvenile assignment. It covers the philosophy behind juvenile court and gives a sense of what dependency law entails so that if a judge on another assignment knows a defendant is involved in a dependency proceeding, then the judge will better understand the ramifications of that involvement. Topics to be discussed will include the major dependency hearing issues such as detention, jurisdiction, disposition, and reviews, as well as some of the more troublesome topics like parentage, the Indian Child Welfare Act, and coordination with family court.

*Hon. Kristine Mackin McCarthy, Superior Court of Santa Clara County*

### **CALCULATING PERSONAL INJURY DAMAGES**

This workshop shows you how to get from verdict to judgment in a civil action for personal injury and/or property damage against multiple tortfeasors. You will learn how and under what circumstances Proposition 51 governs the apportionment of economic and noneconomic damages. You will also become familiar with the requirements for good-faith settlements and sliding scale agreements.

*Hon. Joni T. Hiramoto, Superior Court of Contra Costa County*

### **CIVIL CASE MANAGEMENT**

This course is designed to review the new and amended civil case management rules and forms, adopted on July 1, 2002. Emphasis will be given to effective calendar management. Participants will be provided with “best practices” forms being used by various courts in order to show cause hearings, case management, conferences, and sanction issues. A workshop will be conducted on the preparation of case management orders.

*Hon. Douglas P. Miller, Superior Court of Riverside County*

### **CIVIL DISCOVERY**

As a result of this course, you will become familiar with all types of discovery, be able to make the appropriate rulings on discovery motions, and determine if and what type of sanctions are appropriate for discovery violations.

*Hon. Joni T. Hiramoto, Superior Court of Contra Costa County*

### **CIVIL JUDGE’S TOOLBOX**

This course provides tools (shortcuts and checklists) to enable a busy judge to decide time-taking motions quickly, accurately, and uniformly. Specific matters that are addressed include motions for summary judgment/summary adjudication, default prove-ups and dismissals, monetary sanctions, bankruptcy issues, privacy issues, and reducing the L&M calendar by faxing (or e-mailing) tentative rulings.

*Hon. Richard L. Fruin, Superior Court of Los Angeles County*

### **CIVIL JURY INSTRUCTIONS**

This course will provide an overview of how the new plain-English civil jury instructions are organized. Topics that will be discussed include how the instructions compare/cross-reference with BAJI, the changes in the California Rules of Court and Standards of Judicial Administration regarding their use, and the formats in which the instructions are available.

*Hon. Harry E. Hull, Jr., Court of Appeal*

*Hon. James D. Ward, Court of Appeal*

### **CIVIL SETTLEMENT TECHNIQUES**

This is an exciting, interactive course that focuses on theory and techniques to enable even the most inexperienced judicial officer to successfully handle the most complicated civil settlement conference. The course deals with special problems encountered by the new judicial officer, including minor’s compromises, structured settlements, qualified assignments, special needs trusts, *Mary Carter* settlements, and motions for good-faith settlement. You will have the opportunity to conduct your own settlement conference, and the

class will observe an actual settlement conference conducted by one of the instructors that involves a case currently pending in a California court. The actual lawyers in the pending case will participate in this conference.

*Hon. Richard D. Aldrich, Associate Justice, Court of Appeal*

*Hon. J. Michael Bollman, Superior Court of San Diego County*

*Hon. Ramona G. See, Superior Court of Los Angeles County*

## COMMISSIONER POWERS

This course is valuable for judges and commissioners alike. It explores the range of duties a subordinate judicial officer (SJO) may perform, the advantages and disadvantages of assigning SJOs to specific functions, and the role of the SJO as the judicial officer with the greatest exposure to the public.

SJOs (commissioners and referees) represent 25 percent or more of the judicial officer workforce of some courts. A far greater percentage of the public receives their image of the justice system through contact with SJOs than with judges. Making full use of commissioners and referees requires knowing and understanding their powers, the statutory and case law limitations on their powers, and the many ways they may be used to assist the courts.

*Hon. Lowell E. Richards, Superior Court of Contra Costa County*

*Hon. Patricia H. Wong, Superior Court of Sacramento County*

## COMPLEX CHILD CUSTODY

This course addresses the issues of moveaways, molestation, abuse and neglect, alienating conduct, substance abuse, domestic violence, interstate and international jurisdiction, and special needs. The emphasis will be on case management tools and techniques.

*Hon. Josanna Berkow, Superior Court of Contra Costa County*

*Hon. David Haet, Superior Court of Solano County*

## COMPUTER CLASSES

The following three courses are being offered to expand your computer skills so that you can use the tech tools already available to you more effectively and can become familiar

with new ways of managing your many tasks on the bench and in chambers. *You may enroll in only one computer class.*

The first course, “Computer Basics,” is designed for bench officers with little or no computer experience. The remaining two courses, “The Three R’s,” and “Power Tools for the Bench,” are geared toward bench officers already familiar with Windows, Microsoft Word, and the Internet.

### • COMPUTER BASICS: PRACTICAL TOOLS AND TECHNIQUES EVERY BENCH OFFICER SHOULD KNOW AND USE

Novice computer users will become familiar with the computer, its Windows operating system, and word processing. Users will be able to: create documents; copy, move, and delete text; manage files (name, copy, move, rename, delete, and organize); learn key word-processing techniques; address envelopes; and make basic system modifications. Bench officers will apply these skills to their daily tasks. If you are not yet part of the computer age, you should take this class.

*Hon. Judith Meisels Ashmann-Gerst, Associate Justice, Court of Appeal*

*Hon. Thomas E. Hollenhorst, Associate Justice, Court of Appeal*

*Hon. Kim Garlin Dunning, Superior Court of Orange County*

*Hon. Michael D. Wellington, Superior Court of San Diego County*

### • THE THREE R’S: RESEARCH, RESOURCES, AND (W)RITING

Bench officers who are already familiar with computers will practice using a variety of computer and Internet applications to perform key judicial tasks, including doing legal research, identifying judicial resources online, and creating and modifying frequently used documents. Through the use of the Internet, hands-on training, and demonstrations, participants will become familiar with how experienced judges are using Lexis and its new features designed for the judiciary, Casebank (criminal cases database), LiveNote (software for viewing and managing trial transcripts), and Web sites for judges. In addition, bench officers will learn to develop word-processing templates



that greatly simplify the creation of documents such as tentative rulings and statements of decision.

*Hon. Judith Meisels Ashmann-Gerst, Associate Justice, Court of Appeal*

*Hon. Thomas E. Hollenhorst, Associate Justice, Court of Appeal*

*Hon. Kim Garlin Dunning, Superior Court of Orange County*

*Hon. Michael D. Wellington, Superior Court of San Diego County*

- **POWER TOOLS FOR THE BENCH: POWERPOINT AND JURY INSTRUCTIONS SOFTWARE**

Bench officers who are already familiar with computers will learn how to use PowerPoint and software for the new jury instructions and how to create and modify PowerPoint to present jury instructions and perform other judicial tasks where visual presentations can enhance communication. In addition, participants will use jury instructions software for searching, selecting, editing, and printing jury instructions.

*Hon. Terence L. Bruiniers, Superior Court of Contra Costa County*

*Hon. Daniel J. Buckley, Superior Court of Los Angeles County*

*Hon. Robert Nagby, Superior Court of Riverside County*

*Hon. Lowell E. Richards, Superior Court of Contra Costa County*

## **CONFESSIONS AND ADMISSIONS**

This course addresses the admissibility of incriminating statements by defendants, codefendants, and accomplices in a criminal case. At the end of the course participants will be able to identify the circumstances that trigger the

*Miranda* requirements, evaluate whether a suspect has invoked or waived the right to remain silent and/or right to counsel, and decide the admissibility of subsequent statements. In addition, participants will be able to determine the admissibility of extrajudicial statements made by codefendants and accomplices under the *Aranda-Bruton* rule and the declaration against interest hearsay exception.

*Hon. Ronni B. MacLaren, Superior Court of Los Angeles County, temporarily cross-assigned to Alameda County*

## **CRIMINAL DISCOVERY**

In this course you will learn how to analyze and apply the key constitutional and statutory provisions governing criminal discovery, rule on both prosecution and defense requests for discovery and objections to the opponents' discovery demands, and develop skills to help you manage the timing of discovery requests. We will examine the limitations on discovery of privileged matter, discovery issues regarding immunized witnesses, and the efficacy of sanctions for violation of discovery principles.

*Hon. Richard M. King, Superior Court of Orange County*

## **CRIMINAL DOMESTIC VIOLENCE**

This course will enable a bench officer to handle a criminal domestic violence case from the arraignment stage through supervision on probation. Pretrial issues such as protective orders and witness body attachments will be addressed. The course will cover the complex evidentiary problems that often arise when victims are either absent or recanting, including impeachment with prior inconsistent statements; admission of spontaneous statements; use of absent victim statements under Evidence Code section 1370; admission of prior domestic violence incidents under Evidence Code section 1109; Battered Women's Syndrome evidence; and victims' assertion of the Fifth Amendment privilege. The mandatory sentencing provisions for these cases and how they may affect proposed plea dispositions will also be covered.

*Hon. Anita H. Dymant, Superior Court of Los Angeles County*

## **CRIMINAL JURY INSTRUCTIONS**

This course highlights the rules about instruction on lesser included offenses, defenses, and limiting and pinpoint instructions. Techniques to meet sua sponte obligations will be developed, and common instructional errors will be discussed. You will gain a working knowledge of criminal jury

instructions through class discussions, written materials, and practical sentencing hypotheticals.

*Hon. Tricia Ann Bigelow, Superior Court of Los Angeles County*

### **CRIMINAL SEXUAL ASSAULT**

This course looks at issues unique to trials involving sex crimes. Topics include juror selection, experts, selected evidentiary statutes, and statutes and procedures for victim protection.

*Hon. Kenneth Mark Burr, Superior Court of Alameda County*

*Hon. Rebecca S. Riley, Superior Court of Ventura County*

### **DEALING EFFECTIVELY WITH SELF-REPRESENTED LITIGANTS**

This course provides practical suggestions that will enable litigants as well as courts to have a more productive and manageable pro per calendar in small claims, traffic, criminal, and family court.

*Hon. Robert L. Broughton, Superior Court of Contra Costa County*

### **DEPENDENCY AND DELINQUENCY—EDUCATION RIGHTS OF CHILDREN**

This course will help participants make orders that enhance the ability of families and the court to advocate for our children.

*Hon. Sherri S. Sobel, Superior Court of Los Angeles County*

### **DUI TRIALS**

This course, designed primarily for those with civil backgrounds, prepare participants to preside effectively in criminal jury trials of violations of Vehicle Code section 23152(a) (driving under the influence) and/or section 23152(b) (driving with a blood-alcohol level of .08 % or more), and to analyze and rule appropriately on issues often involved in these cases, such as a probable cause to arrest, searches and seizures incident to arrest, forensic testimony and evidence, and other

issues that commonly arise in the course of a jury trial on DUI offenses. The course also prepares participants to properly address sentencing issues and impose appropriate probationary conditions in DUI cases.

*Hon. José I. Sandoval, Superior Court of Los Angeles County*

### **EVIDENTIARY MECHANICS**

This course covers both civil and criminal evidentiary mechanics such as how to handle documents (*e.g.*, medical/business records; documents on computers, audiotapes, and videotapes), demonstrative evidence (*e.g.*, computer animations, video depositions, PowerPoint presentations, jury views/site visits, diagrams, charts, photos, charts, graphs, etc.), and physical evidence (*e.g.*, guns, drugs, combustibles, clothing, syringes, and bulky evidence).

*Hon. Mary Thornton House, Superior Court of Los Angeles County*

### **FAMILY LAW/DEPENDENCY OVERVIEW**

This course compares and contrasts the two disciplines and helps judicial officers understand dependency custody orders in family law.

*Hon. Sherri S. Sobel, Superior Court of Los Angeles County*

*Hon. Colleen M. Nichols, Superior Court of Placer County*

### **FELONY SENTENCING 100**

Felony Sentencing 100 is intended for a judge who needs to learn basic felony sentencing concepts. The linear presentation of the course covers the basic probationary sentence and a single-count state prison sentence. Participants will learn to conduct a basic sentencing hearing; determine eligibility for probation; impose an appropriate custody term; and make other necessary fines, assessments, and other orders to conclude the sentence.

*Hon. Tricia Ann Bigelow, Superior Court of Los Angeles County*

*Hon. J. Richard Couzens, Superior Court of Placer County*

## FELONY SENTENCING 200

Felony Sentencing 200 covers complex sentencing issues such as a multiple-count or multiple-case sentencing, application of Penal Code section 654, calculation of custody credits with multiple cases, indeterminate sentences, sentences after violation of probation, recall of sentences, *Cruz* waivers, and correction or modification of sentences. Although students are not required to take Felony Sentencing 100, as a prerequisite to this class, Felony Sentencing 200 will be taught with the assumption that students understand the subject matter covered in Felony Sentencing 100.

*Hon. Tricia Ann Bigelow, Superior Court of Los Angeles County*

*Hon. J. Richard Couzens, Superior Court of Placer County*

## FINANCIAL ISSUES IN FAMILY LAW

This course examines various sources of income and discusses the application of the familiar and often unfamiliar sources of income to child support, spousal support, and orders for attorney fees and costs.

*Hon. Jeffrey Bostwick, Superior Court of San Diego County*

## INDIAN CHILD WELFARE ACT

This course helps identify Indian children and clarifies ICWA procedure requirements. We will look at the federal law as an overlay on California dependency law.

*Hon. Sherri S. Sobel, Superior Court of Los Angeles County*

## STEPPING OUTSIDE THE COURTROOM: JUDICIAL BRANCH GOVERNANCE AND COMMUNITY OUTREACH

This course explores how a bench officer can contribute to the fair administration of justice by participating in activities outside the courtroom. Workshop participants will provide guidance for regional meetings that graduates of the 2004 B. E. Witkin Judicial College will attend in fall 2004 on judicial branch governance, judicial independence, and statewide administrative issues.

As a result of this course, participants will be able to describe the role of the Judicial Council and its internal and advisory committees in judicial branch governance, identify the values and operating principles of effective leadership in the context of the trial courts and the judicial branch, identify opportunities for leadership activity at the local and state-wide levels, make recommendations on how to effectively communicate a broader perspective of the judicial branch to new bench officers, and evaluate strategies for effectively coping with constant change.

*Hon. Michael T. Garcia, Superior Court of Sacramento County*

*Hon. Brad R. Hill, Superior Court of Fresno County*

*Hon. Heather D. Morse, Superior Court of Santa Cruz County*

## JURY ISSUES

This workshop gives you practical and creative approaches to getting the most bang for your buck in voir dire and helps you improve your communications skills with jurors and theirs with you. The presentation includes techniques to control attorney voir dire, to handle juror misconduct and hostility, and to ensure verdicts when humanly possible. We'll touch on the differences between jurors who have served before and those who have not and present techniques that will eliminate any jury questions on the law during deliberations. Cutting-edge innovations that are being tried around the state are at the core of our work.

*Hon. Jacqueline A. Connor, Superior Court of Los Angeles County*

## JUVENILE DELINQUENCY—DISPOSITIONS AND FITNESS HEARINGS

This course is for bench officers with a juvenile assignment and will enable them to identify procedural and philosophical differences between adult criminal and delinquency court. Participants will learn (1) how to conduct fitness hearings, and (2) how to tailor effective terms and conditions of probation to specific situations with applicable law and different alternative dispositions/options.

*Hon. Charles Raymond Gill, Superior Court of San Diego County*



## JUVENILE DEPENDENCY—MENTAL HEALTH

This course gives judicial officers guidance in resolving issues concerning the mental health of dependent children. Coverage includes issues for the court to consider before authorizing psychotropic medication for dependent children, what to look for in reviewing psychological and psychiatric evaluations, and the mental health services that are available to meet the needs of children and families.

*Hon. Marilyn H. Mackel, Superior Court of Los Angeles County*

## LIMITED JURISDICTION TRACK: CONSUMER LAW, SMALL CLAIMS, TRAFFIC COURT TRIALS, AND UNLAWFUL DETAINERS

### • SMALL CLAIMS AND CONSUMER LAW

You will be able to handle with confidence the most common small claims such as bad checks, security deposits, contracts for home repairs/remodels, car accidents, and car repair. You will identify differences in service of process, evidence presentation, and creative remedies available in small claims court.

### • TRAFFIC COURT TRIALS

You will identify major issues regarding speed enforcement, including a review of the Caltrans guidelines for speed-zone surveys. You will also be given suggested methods of ensuring the perception of fairness in trials when the prosecution is represented only by law enforcement officers and the defendant is self-represented.

### • UNLAWFUL DETAINERS

In this workshop you will identify the most common errors made by landlords and tenants in a typical residential unlawful detainer trial. You will be able to spot key issues involving habitability defenses, calculation of money damages, and postjudgment claims.

For all segments, you will be provided checklists, resource materials, and lists of other resources.

*Hon. Lowell E. Richards, Superior Court of Contra Costa County*

*Hon. Patricia H. Wong, Superior Court of Sacramento County*

## MARSDEN AND FARETTA

This course explores common problems that arise when defendants want to represent themselves or “fire” their lawyers before, during, or after trial. You will learn how to conduct the hearing and respond effectively to the defendant’s request.

*Hon. Philip S. Gutierrez, Superior Court of Los Angeles County*

## MISDEMEANOR SENTENCING

Participants will be able to identify basic statutory and constitutional requirements of sentencing, as well as the distinctions between sentencing on the one hand and the suspension of sentencing (*i.e.*, probation) on the other. Through the use of hypotheticals, participants will solve problems relating to credit for time served, revocation of probation, multiple counts, multiple proceedings, and Penal Code section 654.

*Hon. Thomas Matthew Reardon, Superior Court of Alameda County*

## PITCHESS MOTIONS

In this workshop you will learn how to conduct a hearing on a *Pitchess* motion (a motion for disclosure of confidential government agency records). Through practice, you will develop the ability to analyze, rule, and manage this motion comfortably.

*Hon. Mary Thornton House, Superior Court of Los Angeles County*

## POSTTRIAL MOTIONS—CIVIL

This seminar teaches you how to (1) recognize typical civil posttrial motions, such as Requests for Statement of Decision and Motions for JNOV, Requests for New Trial (Requests for Additur/Remittitur), Requests to Vacate Judgment, Requests to Tax Costs, and Requests for Attorney’s Fees; (2) find resources when presented with a posttrial motion; and (3) apply the law to practical issues presented by a posttrial motion.

*Hon. Charlene P. Mitchell, Superior Court of San Francisco County*

## PRELIMINARY HEARINGS AND 995s

This course provides a foundation for the judicial officer sitting as a magistrate in conducting and ruling on preliminary hearings and resolving related procedural problems. We will help you anticipate potential problem areas, which include the timing of the preliminary hearing, hearsay evidence, special witness issues, suppression motions, exclusion of the public (Proposition 21), holding orders, avoiding the preliminary hearing as a deposition, Penal Code section 17(b) motions, and the defense role. We will also discuss managing posthearing motions under Penal Code section 995.

*Hon. Maral Injejikian, Superior Court of Los Angeles County*

## PROPOSITION 36

In this course you will learn the “nuts and bolts” of Proposition 36, including fundamental concepts, managing and monitoring clients in caseloads of various sizes, violations of probation, unamenability, the effects of new appellate decisions, and therapeutic justice strategies in working with these clients that can make the difference between frustration and success.

*Hon. Stephen V. Manley, Superior Court of Santa Clara County*

## SEARCH AND SEIZURE

This is an introductory course for judicial officers with little or no experience in criminal procedure. The goal of this course is to provide a basic understanding of Fourth Amendment law and procedure. After examining the development of the exclusionary rule in Fourth Amendment jurisprudence, the students will discuss concepts such as probable cause, temporary detention, and “standing” with the emphasis upon “bright line” decisions of the Supreme Court. Several “checklists” will be provided.

*Hon. Gregory M. Caskey (ret.), Superior Court of Shasta County*

*Hon. Mary Ann O'Malley, Superior Court of Contra Costa County*

## SPEEDY TRIALS

In this course you will learn how to properly analyze and rule on speedy trial and continuance motions in criminal cases.

*Hon. C. Anders Holmer, Superior Court of Nevada County*

## THREE-STRIKES SENTENCING

The Three Strikes workshop will review the basic sentencing structure of this law, with emphasis on recent appellate interpretations of the statute. You will learn which previous convictions constitute strikes and strike sentencing rules, and what options are available to the court in applying the law. You will gain a working knowledge of the three-strikes law through class discussion, written materials, and practical sentencing hypotheticals.

*Hon. Tricia Ann Bigelow, Superior Court of Los Angeles County*

*Hon. J. Richard Couzens, Superior Court of Placer County*

## UNDERSTANDING PERSONALITIES (MBTI)

In this course, you will take the Myers-Briggs Type Indicator before the class session and receive the results confidentially in class. The instructor, a judge who has received training approved by the American Psychological Association, will explain the results. The course demonstrates how different personality types approach fact-finding and decision making in different ways. Suggestions will be given to help you understand and communicate more effectively with different personality types (which will help you understand the dynamics of judges' meetings and court hearings). The course will also help you in teambuilding so that the people working with you can complement your abilities. Your decision-making skills will improve as you gain an understanding of your strengths and weaknesses, and you will, in turn, learn how to compensate for your weaknesses. Your understanding of others will also be increased, and you will learn why past participants have said that the course changed their lives and provided the most basic skill they needed to be good judges.

*Hon. Janet I. Kintner, Superior Court of San Diego County*

## SPECIAL ACTIVITIES AND EVENTS

### EARLY MORNING YOGA AND MEDITATION

**Tuesday, Wednesday, Thursday, June 15–17, 2004**

**Tuesday, Wednesday, Thursday, June 22–24, 2004**

**6:15–7:15 a.m.**

You've wanted to learn yoga for years. You've read dozens of articles on the psychological and physical benefits of meditation, but you've been too busy and too stressed to sit still for one minute. Here's your chance to start your yoga and meditation practice in a friendly, supportive environment. All levels are welcome.

*Hon. Lynn Duryee, Superior Court of Marin County*

*Ms. Shyama Harris*

### TEAMBUILDING ACTIVITY AND GATHERING

**Tuesday, June 15, 2004**

**6:00–7:30 p.m.**

Each seminar group will work together as a team in a light-hearted activity designed to foster healthy team learning at the College and to promote collegiality among all College participants. More information will be provided when you are notified of your acceptance.

### NATIONAL ASSOCIATION OF WOMEN JUDGES RECEPTION FOR ALL JUDGES

**Wednesday, June 16, 2004**

**6:00–7:30 p.m.**

The California-Nevada chapter of the National Association of Women Judges and the California Center for Judicial Education and Research are co-sponsoring a reception for all judges. More information will be provided when you are notified of your acceptance.

### SAN QUENTIN PRISON TOUR

(Optional)

**Thursday, June 17, 2004**

**5:00–10:00 p.m.**

This elective provides an opportunity to learn about the California correctional system through a tour of San Quentin Prison and will include candid discussions with prison staff.

### DELANCEY STREET TOUR

(Optional)

**Monday, June 21, 2004**

**5:15 –9:00 p.m.**

Delancey Street Foundation, in operation for 29 years, is one of the nation's leading self-help residential education centers for former substance abusers and ex-convicts. This tour will include a visit to various training schools and an opportunity to meet with resident staff for a question-and-answer session.

### TRAYNOR FORUM

**Tuesday, June 22, 2004**

**6:00–9:00 p.m.**

The Traynor Forum Speaker for 2004 is Associate Justice Janice Rogers Brown, California Supreme Court. The Traynor Forum honors the memory of former California Supreme Court Justice Roger J. Traynor. It is an annual event that provides for an invited distinguished guest speaker to challenge new judicial officers by addressing sometimes controversial and always thought-provoking subjects pertaining to the law. Previous speakers have included Chief Justice Ronald M. George, California Supreme Court; Justice Ming W. Chin, California Supreme Court; Justice Carlos R. Moreno, California Supreme Court; Justice Christine Durham, Utah Supreme Court; Mr. Charles R. Lawrence III, Georgetown University School of Law; former Chief Justice Malcolm M. Lucas (Ret.),

California Supreme Court; Justice Edward A. Panelli (Ret.), California Supreme Court; Judge Patrick J. Morris, Superior Court of San Bernardino County; Ms. Stephanie Wildman, Professor of Law, University of San Francisco; and Ms. Lauri L. Levinson, Associate Dean of the Loyola Law School.

### **DEAN'S DINNER**

Thursday, June 24, 2004

6:00–10:00 p.m.

The closing evening event of the Judicial College

## **FACULTY BIOGRAPHIES**

Over sixty judicial officers and other law experts will serve as faculty for this year's Judicial College. For a complete list of faculty biographies, please click [here](#).



# ELECTIVES SCHEDULE

## FRIDAY, JUNE 18

Please select one of the three tracks—you will receive notification of the time you are scheduled when your application is accepted and registration is confirmed:

- ☐ Basic Civil Procedure
- ☐ Basic Criminal Law
- ☐ Basic Family Law

## MONDAY, JUNE 21

Please select one of the three tracks—you will receive notification of the time you are scheduled when your application is accepted and registration is confirmed:

### 8:00 a.m.-4:30 p.m.

- ☐ Basic Juvenile Law Track
  - Basic Juvenile Dependency
  - Basic Juvenile Delinquency
- ☐ Civil Settlement Track
  - Civil Settlement Techniques
  - Civil Settlement Conference
- ☐ Limited Jurisdiction Track
  - Unlawful Detainer
  - Small Claims
  - Consumer Law
  - Traffic

## TUESDAY, JUNE 22

### 8:00-10:15 a.m.

- ☐ Commissioner Powers
- ☐ Complex Child Custody
- ☐ Criminal Discovery
- ☐ Felony Sentencing 100

### 10:30-11:30 a.m.

- ☐ Criminal Domestic Violence
- ☐ Family Law/Dependency Overview
- ☐ Misdemeanor Sentencing
- ☐ Posttrial Motions—Civil

### 1:30-2:30 p.m.

- ☐ Computer Basics: Practical Tools and Techniques Every Bench Officer Should Know and Use (3 hours)
- ☐ Criminal Domestic Violence
- ☐ Misdemeanor Sentencing
- ☐ Posttrial Motions—Civil
- ☐ Stepping Outside the Courtroom: Judicial Branch Governance and Community Outreach (3 hours)

### 2:45-5:00 p.m.

- ☐ Computer Basics: Practical Tools and Techniques Every Bench Officer Should Know and Use (cont'd)
- ☐ Criminal Discovery
- ☐ Dealing Effectively With Self-Represented Litigants
- ☐ Felony Sentencing 100
- ☐ Stepping Outside the Courtroom: Judicial Branch Governance and Community Outreach (cont'd)

## WEDNESDAY, JUNE 23

### 8:00-11:30 a.m.

- ☐ Civil Judge's Toolbox
- ☐ Felony Sentencing 200
- ☐ Financial Issues in Family Law
- ☐ Jury Issues
- ☐ Search and Seizure

### 1:30-2:30 p.m.

- ☐ Calculating Personal Injury Damages
- ☐ Felony Sentencing 200 (3 hours)
- ☐ Proposition 36
- ☐ Search and Seizure (3 hours)
- ☐ The Three R's: Research, Resources, and (W)riting (3 hours)

### 2:45-5:00 p.m.

- ☐ Civil Case Management
- ☐ Dealing Effectively With Self-Represented Litigants
- ☐ Felony Sentencing 200 (cont'd)
- ☐ Search and Seizure (cont'd)
- ☐ The Three R's: Research, Resources, and (W)riting (cont'd)

## ELECTIVES SCHEDULE (CONT'D)

### THURSDAY, JUNE 24

#### 8:00-9:00 a.m.

- ☐ Civil Discovery (2 hours)
- ☐ Jury Issues (3 hours)
- ☐ Preliminary Hearings and 995s (3 hours)
- ☐ Speedy Trials (2 hours)
- ☐ Three-Strikes Sentencing (3 hours)

#### 9:15-10:15 a.m.

- ☐ Civil Discovery (cont'd)
- ☐ Jury Issues (cont'd)
- ☐ Preliminary Hearings and 995s (cont'd)
- ☐ Speedy Trials (cont'd)
- ☐ Three-Strikes Sentencing (cont'd)

#### 10:30-11:30 a.m.

- ☐ Calculating Personal Injury Damages
- ☐ Jury Issues (cont'd)
- ☐ *Marsden and Faretta*
- ☐ Preliminary Hearings and 995s (cont'd)
- ☐ Three-Strikes Sentencing (cont'd)

#### 1:30-2:30 p.m.

- ☐ Civil Judge's Toolbox (3 hours)
- ☐ Confessions and Admissions
- ☐ Juvenile Dependency—Mental Health
- ☐ *Marsden and Faretta*
- ☐ Power Tools for the Bench: PowerPoint and Jury Instructions Software (3 hours)

#### 2:45-5:00 p.m.

- ☐ Civil Case Management
- ☐ Civil Discovery
- ☐ Civil Judge's Toolbox (cont'd)
- ☐ Criminal Sexual Assault
- ☐ Power Tools for the Bench: PowerPoint and Jury Instructions Software (cont'd)

### FRIDAY, JUNE 25

#### 8:00-9:00 a.m.

- ☐ Confessions and Admissions
- ☐ Dependency and Delinquency—Education Rights of Children
- ☐ DUI Trials
- ☐ Evidentiary Mechanics
- ☐ Understanding Personalities/MBTI (2 hours)

#### 9:15-10:15 a.m.

- ☐ Criminal Jury Instructions
- ☐ DUI Trials
- ☐ Indian Child Welfare Act
- ☐ *Pitchess* Motions
- ☐ Understanding Personalities/MBTI (cont'd)

#### 10:30-11:30 a.m.

- ☐ Civil Jury Instructions (2 hours)
- ☐ Criminal Sexual Assault (2 hours)
- ☐ Evidentiary Mechanics
- ☐ Juvenile Delinquency—Fitness Hearings and Dispositions (2 hours)
- ☐ Understanding Personalities (MBTI) (2 hours)

#### 11:45a.m.-12:45 p.m.

- ☐ Civil Jury Instructions (cont'd)
- ☐ Criminal Sexual Assault (cont'd)
- ☐ Juvenile Delinquency—Fitness Hearings and Dispositions (cont'd)
- ☐ *Pitchess* Motions
- ☐ Understanding Personalities/MBTI (cont'd)



# PROCEDURAL GUIDELINES

## ELIGIBILITY

All recently appointed or elected California trial court judges, commissioners, and referees are invited to apply for admission. Effective January 1, 1996, all new judicial officers must attend the Judicial College within two years of taking the oath as a judicial officer (Cal. Rules of Court, rule 970). Experienced judges and commissioners who did not have an opportunity to attend the College during their first two years on the bench are also encouraged to apply. In selecting participants, the New Judge Education Committee will consider the following criteria:

- Date of receipt of application
- Date of appointment/election to current judicial position
- Prior attendance at the one-week CJER orientation program for new judicial officers
- Year the applicant previously attended the College while serving in a prior judicial

position (*e.g.*, as a commissioner prior to appointment or election to the superior court)

Priority will be given to trial court judges, commissioners, and referees who have taken office since January 1, 1996, and who have attended the CJER orientation program for new trial court judicial officers.

## FACILITIES AND COSTS

The 2004 B. E. Witkin Judicial College of California will be held at the Holiday Inn Golden Gateway in San Francisco. The complexity and timing of the education program make it essential for participants to stay on site because of the proximity of sleeping rooms to the classrooms. Participants will be required to make hotel reservations and guarantee them with a credit card. Breakfasts, lunches, and some meals will be provided during the College. The cost of lodging and on-site meals for the two-week College will be paid by the State. Participants will be

responsible for paying their incidental hotel charges.

There are no College activities planned specifically for guests, although they may join participants at evening meals and social events. These meal and social event costs are the participant's personal responsibility. Further information on costs for guests will be provided upon acceptance.

Bay Area residents may commute from their homes to College classes and events. They are not required to stay on site; however, when space is available, it is strongly urged that they do so (lodging and on-site meal costs will be paid by the State). Group meals for commuters will be paid by the State.

Airfare will be paid by the State. All other travel expenses and additional meal costs for participants are reimbursable by each individual county.



# PROCEDURAL GUIDELINES (CONT'D)

## HOW TO APPLY

Please complete the online application form on this Web site by **April 28, 2004**. After the application period closes, you will be notified of your acceptance and will receive additional housing, program, and fee information at that time.

A judge, commissioner, or referee planning to attend the B. E. Witkin Judicial College of California must also immediately secure approval from his or her presiding judge. Attendance at the College is not deemed vacation time if it is in accord with the court's attendance plan for California programs and is approved in advance by the presiding judge. See Cal. Rules of Court, rule 6.603(c)(2)(B). See also Cal. Rules of Court, rule 970 and section 25 of the Standards of Judicial Administration.

## CANCELLATION PROCEDURE

If you must cancel your attendance at the College, your written cancellation must be received at least **six** working days before the beginning of the program because the residence and commuter packages are guaranteed in advance. If you are unable to attend the program, please fax your written cancellation to CJER to the attention of Vernell McGee, Program Secretary, at 415-865-4335, or e-mail him at [vernell.mcgee@jud.ca.gov](mailto:vernell.mcgee@jud.ca.gov).

*If your written cancellation is not received six working days before the program, you may be billed individually for any guaranteed costs.*

## ATTENDANCE

All College participants must attend the full schedule of classes and events through the conclusion of the two-week program. Persons who are not enrolled as students or serving as faculty may attend classes only with the permission of the Chair and faculty.

Course materials will be available only to program participants.

## PROGRAM INFORMATION OR QUESTIONS:

Deirdre Benedict, Program Coordinator, at [deirdre.benedict@jud.ca.gov](mailto:deirdre.benedict@jud.ca.gov) or 415-865-7641

Vernell McGee, Program Secretary, at [vernell.mcgee@jud.ca.gov](mailto:vernell.mcgee@jud.ca.gov) or 415-865-7807

**APPLICATION  
DEADLINE  
APRIL 28, 2004**

# CALIFORNIA CENTER FOR JUDICIAL EDUCATION & RESEARCH

## GOVERNING COMMITTEE

Hon. George J. Abdallah, Jr., Chair  
Superior Court of San Joaquin County  
Hon. Fumiko Hachiya Wasserman,  
Vice-Chair  
Superior Court of Los Angeles County  
Hon. Ronald Lawrence Bauer  
Superior Court of Orange County  
Hon. Marjorie Laird Carter  
Superior Court of Orange County  
Hon. Emilie Harris Elias  
Superior Court of Los Angeles County  
Ms. Barbara J. Fox  
Executive Officer  
Superior Court of Santa Cruz County  
Hon. Jon M. Mayeda  
Superior Court of Los Angeles County  
Hon. Charles W. McCoy, Jr.  
Superior Court of Los Angeles County  
Ms. Inga E. McElyea  
Executive Officer  
Superior Court of Riverside County  
Hon. Ronald B. Robie  
Court of Appeal, Third Appellate  
District

### *Advisory Members:*

Hon. Yolanda N. Northridge  
California Judges Association  
Superior Court of Alameda County  
Mr. William C. Vickrey  
Administrative Director of the Courts

### *Liaison From Judicial Council:*

Hon. Richard D. Huffman  
Court of Appeal, Fourth Appellate  
District

## EDUCATION DIVISION/CJER STAFF

Director:  
Karen M. Thorson  
Assistant Director:  
James M. Vesper  
Manager, Administrative Education:  
Martha V. Kilbourn  
Managing Attorney, Judicial Education:  
Robert Lowney  
Managing Attorney, Publications:  
Robert Schindewolf  
Manager, Education Technology:  
Gavin Lane  
Attorneys:  
Karene Alvarado, \*Rod Cathcart, David  
Foster, Tim Hallahan, Barry Harding,  
Ellen Matthews, Andrea McCann, Linda  
McCulloh, Bonnie J. Pollard, Jeffrey Shea,  
Bobbie Welling  
Supervisor for Court Staff Education:  
Maggie Cimino  
Education Specialists:  
Edward Davis, Barbara Edwards, Claudia  
Fernandes, Molly McPhee, Karen Moen,  
Michael Roosevelt, Eugenia Tripputi  
Program Coordinators:  
Virginia Chang, \*Deirdre Benedict,  
Barbara Fitzgerald, Susan Gordon, Katie  
Gutierrez, Bo Jue, Cindy Lee-Young,  
Russell Mathieson, \*Suzanne C. Renner  
Editors:  
Christine Acker, Dennis Matsura, \*Iris  
Okura  
Media Production Specialists:  
Dexter Craig, David Knight, Ralph  
McMullan

Supervising Audio/Video Technician:  
Peter Shervanick  
Audio/Video Technicians:  
James Hill, Cyrus Ip, Gaidi Nkruma  
Audio/Video Technical Systems Analyst  
Travis Ho  
Staff Analysts:  
Mandy Covey, Gabe Krechmer  
Fiscal Coordinator:  
Illistine Banks  
Executive Secretary:  
Barbara Whiteoak  
Support Services Supervisor:  
Brenda Harris  
Secretaries:  
Joel Bello, Kelly Cameron, Brenda  
Chiles, Stephanie Hampton, Jay Harrell,  
\*Vernell McGee, Jane Otterburn, Diane  
Parks, \*Katharine W. Pearce, Joyce San  
Jose  
Receptionist:  
Wendy Wong  
Graphic Design and Production:  
Mary Trew

\*Staff for Judicial College